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23 *[Caption Continued on the Following Page]*

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

21 Dan Deforest, Individually and
22 and on Behalf of All Others Similarly
23 Situated,

24 Plaintiff,

25 v.

26 Royal Seas Cruises, Inc., and DOES 1
27 through 10, inclusive, and each of them,

28 Defendant.

Case No.: 8:17-cv-00977-AG-DFM

**STIPULATION FOR TRANSFER
OF CASE TO THE UNITED
STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF
CALIFORNIA**

District Judge:
Hon. Andrew J. Guilford

Magistrate Judge:
Douglas F. McCormick

1 Todd M. Friedman (SBN 216752)
2 Adrian R. Bacon (SBN 280332)
3 Meghan E. George (SBN 274525)
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12 Attorneys for Plaintiff *Dan DeForest*

11 **STIPULATION**

12 Pursuant to 28 U.S.C. §§ 1404(a) & (b), and L.R. 7-1, the Plaintiff, Dan
13 DeForest (“Plaintiff”), and the Defendant, Royal Seas Cruises, Inc. (“Defendant”),
14 through their respective undersigned counsel, hereby stipulate and agree as
15 follows:
16

17 1. On June 7, 2017, Plaintiff filed his Complaint (DE 1) asserting class
18 action allegations against Defendant for damages and injunctive relief pursuant to
19 the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* in the United
20 States District Court, Central District of California.
21

22 2. On September 12, 2017, Defendant’s counsel advised Plaintiff’s
23 counsel that Defendant believed, based on the similarity of Plaintiff’s allegations
24 and the allegations asserted against RSC in an earlier-filed putative class action,
25 *McCurley v. Royal Seas Cruises, Inc.*, Case No. 3:17-cv-00986-BAS-AGS (S.D.
26 Cal.), that this case and *McCurley* are substantially related cases.
27
28

STIPULATION TO TRANSFER

1 3. The Parties have conferred and agreed that a transfer of Plaintiff's
 2 action to the Southern District of California, so that it can be consolidated for all
 3 purposes into the *McCurley* action, is appropriate to avoid duplicative litigation
 4 and potentially inconsistent determinations involving seemingly overlapping class
 5 memberships, to further the convenience of the parties and witnesses, and to best
 6 serve the interests of justice and judicial economy.

7
 8
 9 4. Plaintiff's counsel has also conferred with counsel for the plaintiff in
 10 *McCurley* regarding the issues of transfer and consolidation.

11
 12 IT IS HEREBY STIPULATED THAT, given the alleged similarities
 13 between the two cases and that it appears the same underlying conduct is being
 14 challenged, the Parties jointly request that the Court transfer this case to the
 15 Southern District of California, pursuant to 28 U.S.C. § 1404(a), so that it may
 16 ultimately be consolidated with the *McCurley* action before Judge Cynthia
 17 Bashant. The parties agree that all deadlines in this case shall be stayed pending
 18 acceptance of the transfer and consolidation of Plaintiff's claims in *McCurley*.
 19
 20

21 Dated: Sept. 19, 2017

22
 23 **GREENSPOON MARDER**

24 By: /s/ Brian R. Cummings
 25 Jeffrey A. Backman, Esq.
 26 (Admitted *Pro Hac Vice*)
 27 Brian R. Cummings, Esq.
 28 (Admitted *Pro Hac Vice*)
 Richard W. Epstein, Esq.
 (*Pro Hac Vice pending*)

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Adrian R. Bacon
(Bar No. 280332)
Meghan E. George
(Bar No. 274525)

Attorneys for Plaintiff

ATTESTATION OF E-FILED SIGNATURE

Pursuant to L.R. 5-4.3.4, the signatories hereto have authorized the filing of this stipulation with electronic signatures. I, Brian R. Cummings, attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

By: /s/ Brian R. Cummings

Brian R. Cummings
E-mail: Brian.Cummings@gmlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing stipulation has been served on this date to all counsel of record, if any to date, who are deemed to have consented to electronic service via the Court's CM/ECF system. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery upon their appearance in this matter.

I certify and declare under penalty of perjury under the laws of the United States, that the foregoing is true and correct.

EXECUTED on Sept. 19, 2017.

By: /s/ Brian R. Cummings
Brian R. Cummings